Single Bench

(B)

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BILASPUR

W.P.No. 4333/ 2004

Petitioner : Dr.Ravi Kumar Gore, S/o Late P.R.Gore
Aged about 55 years,Block Medical Officer,
Community Health Centre, Balod,
Dist. Durg (C.G.)

Versus

Respondents : 1 State of Chhattisgarh through Secretary, Health and Family Welfare Department, DKS Bhavan, Raipur

2 Director, Health Services, Govt. of Chattisgarh, Raipur.

3 Chief Medical Officer, Community Health Centre, Balod, Dist. Durg(C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(18)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No. 4333/2004 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	30-11-2004 Shri P. Diwakar, Counsel for the petitioner. Shri Akhil Agrawal, Panel Lawyer for the State. Application for urgent hearing is allowed. Heard. Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the petitioner has been transferred from the Community Health Centre, Balod, District Durg to Primary Health Centre, Jhalap, District Mahasamund vide order dated 26-10-2004 (Annexure-P/1). He also submits that the Community Health Centre at Balod, District Durg has been converted into First Referral Unit (FRU) and the place where the petitioner has been transferred i.e. Primary Health Centre, Jhalap, District Mahasamund is not a First Referral Unit (FRU). He also submits that the petitioner has been given the training of Anesthesia for 120 days and he has completed his training on 4/8/2004, Annexure-P/2 is the copy of certificate to this effect. He also submits that the transfer order of the petitioner is completely politically motivated. He also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law. Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed	

G 50,000.

(19)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No. 4333/2004 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 15 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation.

Learned counsel for the petitioner submits that the petitioner has not been relieved. He prays that the petitioner may be allowed to continue.

It is directed that if the petitioner has not been relieved and other person has not joined in place of the petitioner, the petitioner may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved or other person has already joined in place of the petitioner, this order will not entitle the petitioner to rejoin at the earlier place of posting.

With the aforesaid observations, this petition stands disposed of.

Consequently M.W.P.No.4683/2004 also stands disposed of.

Sd/-
Fakhruddin
Judge

Gowri

GRPRJ—FS/350—12/2000—50,000.